



CONFIDENTIAL

Subject:

USA v. Shkreli et al., CRIMINAL CASE # 1:15-cr-00637-KAM-1 (Filed 12/14/2015)

08 September 2017

To: **Honorable Kiyo A. Matsumoto**, United States District Judge, Eastern District of New York, United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201, Secretary:(718) 613-2180

Cc: **Ms. Alixandra Eleis Smith** – US Attorney
718-254-6370, Fax: 718-254-6076, alixandra.smith@usdoj.gov

Dear Honorable Matsumoto:

Please refer to my letter of 15 Jan 2016, reprinted for you convenience below.

Martin Shkreli is an evil person who has intentionally harmed many people. I was one of his many victims and I know other victims who are too afraid to speak out. I lost a lot of money because of that crook. He lied through his teeth after he shorted a stock I owned and used his media connections such as Seeking Alpha to propagate his lies and misinformation. I can provide you any details necessary. He made a lot of money on this trade, as he boasted about in a subsequent article after he covered his short position. During that time, which spanned over a year, many investors suffered due to his hurting the company and its stock by his malicious actions.

He further promised to donate a large portion of his gain to charity, which he never did. I had correspondence with him about he subject.

Lastly, he is corrupting minds of young people on social media. It's important that he is imprisoned for the maximum sentence of 20 years, to send a signal to a) the investment community b) young people that such criminal, evil, dishonest, arrogant behavior has no place in our great society which is founded on values which Shkreli opposes.

Many thanks for your consideration and sentencing that criminal to the maximum sentence, and immediately revoking his bail as the prosecutor has demanded.

Best regards

Reza Ganjavi

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Honorable Kiyo A. Matsumoto, United States District Judge, Eastern District of New York, United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201, Secretary: (718) 613-2180

Cc:

Honorable Robert M. Levy, United States Magistrate Judge, Eastern District of New York, United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201, Secretary: (718) 613-2340, Law Clerk: (718) 613-2340

United States Department of Justice

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Mr. James B. Comey – Director, FBI

Mr. Diego Rodriguez – Assistant Director in Charge, FBI

Mr. Michael Harpster – Special Agents in Charge, FBI

Ms. Lilian Perez – Supervisory Special Agent, FBI

Mr. Christopher Delzotto, Mr. Michael Braconi – FBI agents

U.S. Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549

Ms. Mary Jo White, Chair, SEC, (202) 551-2100, chairmancorres@sec.gov, fax: 202-772-9200

Mr. Andrew J. Ceresney, Director, Division of Enforcement, SEC (CeresneyA@sec.gov)

Mr. Andrew M. Calamari, Director, New York Regional Office, SEC (calamaria@sec.gov)

Mr. Sanjay Wadhwa, Supervisor, SEC (WadhwaS@sec.gov)

Mr. Gerald Gross, Mr. Eric Schmidt, Ms. Melissa Coppola, Mr. Paul Gizzi – SEC

Mr. Richard G. Ketchum, Chairman & Chief Executive Officer, FINRA

1735 K Street, Washington DC, 20006, (301) 590-6500 richard.ketchum@finra.org

Dear Honorable Kiyo A. Matsumoto:

SUMMARY

Congratulations to the DOJ, SEC, FINRA, FBI, and others involved in bringing Martin Shkreli to justice. He's a terrible person who deserves to get maximum sentence and no leniency.

CASES

There are two cases before you against Martin Shkreli, a civil and a criminal one. The criminal case was filed on 12/14/2015 for:

- CONSPIRACY TO COMMIT FRAUD- MSMB CAPITAL SCHEME
- CONSPIRACY TO COMMIT WIRE FRAUD- MSMB CAPITAL SCHEME
- SECURITIES FRAUD- MSMB CAPITAL SCHEME
- CONSPIRACY TO COMMIT SECURITIES FRAUD- MSMB HEALTHCARE SCHEME
- CONSPIRACY TO COMMIT WIRE FRAUD- MSMB HEALTHCARE SCHEME
- SECURITIES FRAUD- MSMB HEALTHCARE SCHEME
- CONSPIRACY TO COMMIT WIRE FRAUD- RETROPHIN SCHEME

The Civil case was brought by the SEC which charged Shkreli with violating:

- Sections 17(a)(1) and 17(a)(2) of the Securities Act of 1933
- Section 10(b) of the Securities Exchange Act of 1934
- Rules 10b-5 and 10b-21
- Sections 206(1), 206(2), and 206(4) of the Investment Advisers Act of 1940
- Rule 206(4)-8

DISCUSSION

I am writing to humbly ask you to **not** have mercy on defendant Shkreli and impose the toughest conditions, restrictions, and penalties on him. I unfortunately came across Shkreli long before he became famous for his allegedly immoral act of pumping the price of a life-saving drug by more than 5000%, and for buying the only copy of a Rap album.

I was a victim in a short&distort scheme which Shkreli conducted, and he claims to have made a lot of money from it. The allegations in the cases at bar mention his naked-shorting shares of another company and lying to the broker about it. This tells you how corrupt the system is: any hedge fund manager can lie to a broker and have the broker sell property which he does not own and has not borrowed.

I speak on behalf of Main Street investors who are regularly defrauded by Wall Street's rigged games. The aforementioned cases represent everything that is wrong on Wall Street: arrogance, greed, dishonesty, lies, fraud, and the attitude of being above the law.

I beg you to not have mercy on Martin Shkreli. For Wall Street miscreants paying a fine is the equivalent of a parking ticket – it's business as usual afterwards. It was disappointing to hear that the SEC made a deal with Stevie Cohen, the billionaire hedge fund manager running SAC Capital. The only thing that sends the right signal is prison time.

Shkreli represents a huge crisis in morality. He was "schooled" at Jim Cramer's hedge fund. Cramer is on record for saying "truth is your enemy" and that "you should not do anything remotely truthful when in hedge fund mode". Main Street is regularly the victim of these lies – people who invest their hard-earned money do not have the same access to information, insider tips, clout, journalists and analysts who bat for big money, and bank accounts to compete with the miscreants who abuse those things.

We The People need the Judiciary to teach a lesson to these miscreants.

There are many many Shkreli's running wild on Wall Street. He just happened to get caught. By punishing him to the full extent of law you send a signal to the others, and diffuse his attempts to portray his actions as ok, cool, acceptable, normal.

On the other hand, if convicted, if you let him off the hook easy (lack of prison time) this will send a strong signal that his conduct is acceptable – that one can "get away with murder" on Wall Street and buy one's way out.

Shkreli is an arrogant and unrepentant person who's acted as though he's above the law. Since being arrested and released on bail, he's been trying to drum up public support by appealing to the younger section of society who are electronically well connected. DOJ needs to send the signal to the society that there's nothing "cool" about being a miscreants, a criminal, a fraudster, if he's convicted.

Thank you very much for your consideration to this message.
All the very best

Reza Ganjavi

